THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.15 OF 2003

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DATED 11.11.2005

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BETWEEN

J.Sreerama Murthy, S/o Pattabhi Ram,

D.No.2-1-106, Amalapuram.

… Petitioner

and

The Commissioner, Amalapuram Municipality,

Amalapuram, East Godavari District.

… Respondent

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.15 OF 2003

ORDER:

The petitioner obtained licence in Form IL24 under A.P.Indian Liquor and Foreign Liquor Rules, 1970 and A.P.Excise Act, 1968. By impugned notice dated 17.12.2002, the respondent Municipality demanded 1% of the excise rentals/excise fees paid by the petitioner as trade licence fee. Assailing the same, the present writ petition is filed.

This Court by order dated 28.10.2005 in W.P.No.17035 of 2000 and batch, considered the question whether it is competent for Municipality to levy and collect trade licence fee on retail liquor shops in exercise of their powers under Section 263 read with Schedule IV of A.P.Municipalities Act, 1965. This Court held that no such power inheres in the Municipality. Following the Judgment of this Court referred to hereinabove, this writ petition is also allowed. No costs.

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(V.V.S.RAO,J)

11.11.2005.

pln